IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	K. LIETZAU
Serial No.:	10/530,613
Filing Date:	April 7, 2005
For:	MULTIVALUE CONTROL SYSTEM AND METHOD FOR CONTROLLING A MULTIVALUE CONTROLLED SYSTEM
Art Unit:	2121
Examiner:	J. NORTON
Confirmation No.:	6750

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Signature: /Helen Tam/
Helen Tam

TRANSMITTAL OF APPEAL BRIEF PURSUANT TO 37 C.F.R. § 41.37

S I R:

Transmitted herewith for filing in the above-identified patent application is an Appeal Brief Pursuant to 37 C.F.R. § 41.37.

The required Appeal Brief fee of **$540.00** under 37 C.F.R. 41.20(b)(2) is being paid by credit card. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. **11-0600**.

Respectfully submitted,
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Dated: July 28, 2010

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[13806/13]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	Examiner: Jennifer L. Norton
Klaus LIETZAU	
For: MULTIVALUE CONTROL SYSTEM AND METHOD FOR CONTROLLING A MULTIVALUE CONTROLLED SYSTEM	
	Art Unit: 2121
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APPEAL BRIEF PURSUANT TO 37 C.F.R. § 41.37

SIR:

On June 9, 2010, Appellant filed a Notice of Appeal from the last decision of the Examiner contained in the Final Office Action dated March 12, 2010 in the above-identified patent application.

In accordance with 37 C.F.R. § 41.37, this brief is submitted in support of the appeal of the rejections of claims 21 to 36. For at least the reasons set forth below, the final rejections of claims 21 to 36 should be reversed.

1. REAL PARTY IN INTEREST

The real party in interest in the present appeal is MTU AERO ENGINES GmbH of Muenchen in the Federal Republic of Germany, which is the assignee of the entire right, title and interest in and to the present application.

2. RELATED APPEALS AND INTERFERENCES

There are no other prior or pending appeals, interferences or judicial proceedings known by the undersigned, or believed by the undersigned to be known to Appellant or the assignee, MTU AERO ENGINES GmbH, "which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal."

3. STATUS OF CLAIMS

Claims 1 to 20 have been canceled.

Claims 21 to 36 are pending.

Claims 21 to 24, 27 to 29, and 32 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 6,171,055 ("Vos et al.") and that which the Final Office Action characterized as Admitted Prior Art ("the Alleged APA").

Claims 25, 26, 30, and 31 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Vos et al., the Alleged APA, and U.S. Patent No. 5,951,608 ("Osder").

Claim 33 stands rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Vos et al., the Alleged APA, and U.S. Patent No. 6,856,039 ("Mikhail et al.").

Claims 34 to 36 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Vos et al., the Alleged APA, Mikhail et al., and Osder.

A copy of the appealed claims, *i.e.*, claims 21 to 36, is attached hereto in the Claims Appendix.

4. STATUS OF AMENDMENTS

In response to the Final Office Action dated March 12, 2010, Appellant submitted a "Reply Under 37 C.F.R. § 1.116" ("the Reply") on May 12, 2010. The Reply did not include amendments to the claims. As such, it is Appellant's understanding that the claims as included in the annexed "Claims Appendix" accurately reflect the currently appealed claims.

5. SUMMARY OF CLAIMED SUBJECT MATTER

The claims on appeal include three independent claims, *i.e.*, claim 21, 27, and 32.

Independent claim 21 relates to a multivalue control system 10. *Specification*, page 5, lines 2 to 3; and Figure 1. Claim 21 recites that the system 10 includes a controlled multivalue system 11 including a plurality of correcting variables 14, 15 as input variables and a plurality of controlled variables 12, 13 as output variables. *Specification*, page 5, lines 4 to 6, and 11 to 23; and Figure 1. Claim 21 recites that the system 10 includes a plurality of controllers 28, 29. *Specification*, page 9, lines 33 to 34; and Figure 1. Claim 21 recites that the system 10 includes a plurality of comparators 24, 25 configured to ascertain control deviations 26, 27 and to supply a control deviation 26, 27 to each controller 28, 29 as an input variable. *Specification*, page 9, line 4 to page 10, line 20; and Figure 1. Claim 21 recites that the system 10 includes a conversion device 32, input variables of the conversion device 32 corresponding to output variables 30, 31 of the controllers 28, 29, the conversion device 32 configured to calculate, at least from the output variables 30, 31 of the controllers 28, 29, the correcting variables 14, 15, the conversion device 32 configured to superimpose, on the output variables 30, 31 of the controllers 28, 29, an input control component that is a function of an actual value to calculate the correcting variables 14, 15. *Specification*, page 10, line 25 to page 11, line 5; page 11, lines 19 to 28; and Figure 1.

Independent claim 27 relates to a method for controlling a controlled multivalue system 11. *Specification*, page 12, lines 31 to 33; and Figure 1. Claim 27 recites that the method includes supplying a plurality of correcting variables 14, 15 to the controlled multivalue system 11 as input variables. *Specification*, page 5, lines 4 to 6, and 11 to 23; and Figure 1. Claim 27 recites that the method includes offsetting a plurality of controlled variables 12, 13 against one another as output variables of the controlled multivalue system 11 to ascertain control deviations 26, 27. *Specification*, page 9, lines 4 to 31; and Figure 1. Claim 27 recites that the method includes supplying each control deviation 26, 27 to a respective controller 28, 29 as an input variable. *Specification*, page 9, line 33 to page 10, line 20; and Figure 1. Claim 27 recites that the method includes supplying output variables 30, 31 from the controllers 28, 29 to a conversion device 32 as input variables. *Specification*, page 10, line 25 to page 11, line 5; and Figure 1. Claim 27 recites that the method includes calculating the correcting variables 14, 15 in the conversion device 32 at least from the output variables 30, 31 from the controllers 28, 29, the calculating including offsetting the output variables 30, 31 of the controllers 28, 29 against each other using an input control component that is a function of an actual value. *Specification*, page 10, line 25 to page 11, line 5; page 11, lines 19 to 28; and Figure 1.

Independent claim 32 relates to a method for controlling a propeller power unit 11. *Specification*, page 5, lines 3 to 6; and Figure 1. Claim 32 recites that the method includes controlling a propeller speed n_P and a propeller performance P_{PR} as controlled variables 12, 13. *Specification*, page 5, lines 11 to 16; and Figure 1. Claim 32 recites that the method includes supplying a propeller blade angle of incidence β and a fuel stream w_F to the propeller power unit 11 as correcting variables 14, 15. *Specification*, page 5, lines 18 to 23; and Figure 1. Claim 32 recites that the method includes supplying output variables 30, 31 from controllers 28, 29 to a conversion device 32 as input variables. *Specification*, page 10, line 25 to page 11, line 5; and Figure 1. Claim 32 recites that the method includes ascertaining, by the conversion device 32, the propeller blade angle of incidence β and the fuel stream w_F as the controlled variables from the output variables 30, 31 from the controllers 28, 29. *Specification*, page 11, lines 2 to 5; and Figure 1. Claim 32 recites that the method includes offsetting, in the conversion device 32, the output variables 30, 31 from the controllers 28, 29 against each other. *Specification*, page 10, lines 29 to 31; and Figure 1. Claim 32 recites that the method includes offsetting, in the conversion device 32, the output variables 30, 31 from the controllers 28, 29 using an input control component that is a function of an actual value. *Specification*, page 11, lines 19 to 28; and Figure 1.

6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. Whether claims 21 to 24, 27 to 29, and 32 are unpatentable under 35 U.S.C. § 103(a) over the combination of Vos et al. and the Alleged APA.

B. Whether claims 25, 26, 30, and 31 are unpatentable under 35 U.S.C. § 103(a) over the combination of Vos et al., the Alleged APA, and Osder.

C. Whether claim 33 is unpatentable under 35 U.S.C. § 103(a) over the combination of Vos et al., the Alleged APA, and Mikhail et al.

D. Whether claims 34 to 36 are unpatentable under 35 U.S.C. § 103(a) over the combination of Vos et al., the Alleged APA, Mikhail et al., and Osder.

7. ARGUMENT

A. Rejection of Claims 21 to 24, 27 to 29, and 32 Under 35 U.S.C. § 103(a)

Claims 21 to 24, 27 to 29, and 32 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Vos et al. and the Alleged APA.[1] It is respectfully

[1] While the Final Office Action appears to refer to U.S. Patent Application Publication No. 2006/0004470 ("the '470 publication") as "Applicant's Admitted Prior Art," the '470 publication is the publication of the

submitted that the combination of Vos et al. and the Alleged APA does not render unpatentable the present claims for at least the following reasons.

In order for a claim to be rejected for obviousness under 35 U.S.C. § 103(a), the prior art must teach or suggest each element of the claim. *See Northern Telecom, Inc. v. Datapoint Corp.*, 908 F.2d 931, 934 (Fed. Cir. 1990), *cert. denied*, 111 S. Ct. 296 (1990); *In re Bond*, 910 F.2d 831, 834 (Fed. Cir. 1990). In addition, as clearly indicated by the Supreme Court, it is "important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *See KSR Int'l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (2007). Further, the Supreme Court in *KSR* noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. M.P.E.P. §2143.

Claim 21 relates to a multivalue control system, including, *inter alia*, a controlled multivalue system; a plurality of controllers; a plurality of comparators; and a conversion device, input variables of the conversion device corresponding to output variables of the controllers, the conversion device configured to calculate, at least from the output variables of the controllers, the correcting variables, *the conversion device configured to superimpose, on the output variables of the controllers, an input control component that is a function of an actual value to calculate the correcting variables*. Claims 27 and 32 include features analogous to the features included in claim 21.

The combination of Vos et al. and the Alleged APA does not disclose, or even suggest, all of the claimed features of claims 21, 27, and 32. Specifically, Vos et al. does not even refer to a conversion device. Instead, Vos et al. merely describes controllers 66, 68 connected directly to the engine, drivetrain, propeller, and actuators dynamics in Figure 2. Indeed, the Final Office Action at page 5 admits that "Vos does not expressly teach to a conversion device …, the conversion device configured to superimpose, on the output variable of the controllers (col. 7, lines 2-8 and 10-15), an input control component that is a function of an actual value to calculate the correcting variables (col. 6, lines 1-8 and 13-19)." Although the Final Office Action cites column 6, lines 1 to 8, and 13 to 19, and column 7, lines 2 to 8, and 10 to 15 as reproduced above, these cited sections merely state that the FADEC of Vos et al. receives inputs from various sensors (column 6, lines 1 to 8, and 13 to 19), and outputs control signals to various servos (column 7, lines 2 to 8, and 10 to 15), without any intervening conversion device. Thus, Vos et al. does not disclose, or even

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instant application. Thus, the '470 publication does not itself constitute prior art with respect to the present application.

suggest, the features of *a conversion device configured to superimpose, on the output variables of the controllers, an input control component that is a function of an actual value to calculate the correcting variables*.

Further, the Alleged APA also does not disclose all of the features included in claims 21, 27, and 32. Nonetheless, the Final Office Action at pages 3 and 4 asserts the following:

> Applicant's disclosed limitation of "a conversion device configured to superimpose, on the output variables of the controllers (i.e. the controlled multivalue system having several correcting variables as input variables), an input control component that is a function of an actual value (i.e. a conversion device whose input variables are the output variables made available by the controllers) to calculate the correcting variables (i.e. the conversion device calculating the correcting variables for the controlled multivalue system at least from the output variables of the controllers)" is meet [sic] by Applicant's disclosed Admitted Prior Art.

Applicant respectfully disagrees. Although the Alleged APA may include a conversion device, nowhere does the Alleged APA disclose the feature of *a conversion device configured to superimpose, on the output variables of the controllers, an input control component that is a function of an actual value to calculate the correcting variables*, as provided for in the context of claims 21, 27, and 32. In this regard, the cited section of the Alleged APA in the Final Office Action at page 3 merely states that a conversion device has as input variables the output variables from the controllers, and the controllers merely receive control deviations as input variables. Thus, only control deviations are provided as input variables to the conversion device via controllers. However, nowhere does the Alleged APA even refer to an input control component that is a function of an actual value, much less an input control component that is provided to the conversion device. Accordingly, nowhere does the Alleged APA disclose, or even suggest, *a conversion device configured to superimpose, on the output variables of the controllers, an input control component that is a function of an actual value*.

Furthermore, the Advisory Action asserts that U.S. Patent No. 5,403,074 ("the '074 patent"), referred to at page 3, line 2 of the Specification, discloses the above-recited features of claims 21, 27, and 32. In this regard, the Advisory Action asserts that the output of controller 16 constitutes an input control component for subtractor 21, and that the output of controller 19 constitutes an input control component for adder 20. However, it is respectfully submitted that the outputs of controllers 16 and 19 of the '074 patent may merely constitute output variables of the controllers, as provided for in the context of the presently

claimed subject matter. However, nowhere does the '074 patent describe a separate input control component *superimposed* on the output variables of the controllers. Accordingly, nowhere does the Alleged APA, or the '074 patent, disclose, or even suggest, *a conversion device configured to superimpose, on the output variables of the controllers, an input control component that is a function of an actual value*.

Therefore, the combination of Vos et al. and the Alleged APA does not disclose, or even suggest, the features of *a conversion device configured to superimpose, on the output variables of the controllers, an input control component that is a function of an actual value to calculate the correcting variables*, as provided for in the context of claims 21, 27, and 32.

Accordingly, the combination of Vos et al. and the Alleged APA does not disclose, or even suggest, all of the features included in claims 21, 27, and 32. As such, it is respectfully submitted that the combination of Vos et al. and the Alleged APA does not render unpatentable claims 21, 27, and 32.

As for claims 22 to 24, which ultimately depend from claim 21 and therefore include all of the features included in claim 21, and claims 28 and 29, which depend from claim 27 and therefore include all of the features included in claim 27, it is respectfully submitted that the combination of Vos et al. and the Alleged APA does not render unpatentable these dependent claims for at least the same reasons more fully set forth above.

In view of all of the foregoing, reversal of this rejection is respectfully requested.

B. Rejection of Claims 25, 26, 30, and 31 Under 35 U.S.C. § 103(a)

Claims 25, 26, 30, and 31 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Vos et al., the Alleged APA, and Osder. It is respectfully submitted that the combination of Vos et al., the Alleged APA, and Osder does not render unpatentable the present claims for at least the following reasons.

Claims 25 and 26 ultimately depend from claim 21, and claims 30 and 31 ultimately depend from claim 27. As more fully set forth above, the combination of Vos et al. and the Alleged APA does not disclose, or even suggest, all of the features included in claims 21 and 27. Osder also does not disclose, or even suggest, all of the features included in claims 21 and 27, and thus, fails to cure this critical deficiency.

Accordingly, it is respectfully submitted that the combination of Vos et al., the Alleged APA, and Osder does not disclose, or even suggest, all of the features included in

claims 21 and 27, from which claims 25, 26, 30, and 31 ultimately depend. As such, it is respectfully submitted that the combination of Vos et al., the Alleged APA, and Osder does not render unpatentable claims 25, 26, 30, and 31, which ultimately depend from claims 21 and 27.

In view of all of the foregoing, reversal of this rejection is respectfully requested.

C. Rejection of Claim 33 Under 35 U.S.C. § 103(a)

Claim 33 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Vos et al., the Alleged APA, and Mikhail et al. It is respectfully submitted that the combination of Vos et al., the Alleged APA, and Mikhail et al. does not render unpatentable the present claim for at least the following reasons.

Claim 33 depends from claim 32. As more fully set forth above, the combination of Vos et al. and the Alleged APA does not disclose, or even suggest, all of the features included in claim 32. Mikhail et al. also does not disclose, or even suggest, all of the features included in claim 32, and thus, fails to cure this critical deficiency.

Accordingly, it is respectfully submitted that the combination of Vos et al., the Alleged APA, and Mikhail et al. does not disclose, or even suggest, all of the features included in claim 32, from which claim 33 depends. As such, it is respectfully submitted that the combination of Vos et al., the Alleged APA, and Mikhail et al. does not render unpatentable claim 33, which depends from claim 32.

In view of all of the foregoing, reversal of this rejection is respectfully requested.

D. Rejection of Claims 34 to 36 Under 35 U.S.C. § 103(a)

Claims 34 to 36 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Vos et al., the Alleged APA, Mikhail et al., and Osder. It is respectfully submitted that the combination of Vos et al., the Alleged APA, Mikhail et al., and Osder does not render unpatentable the present claims for at least the following reasons.

Claims 34 to 36 ultimately depend from claim 32. As more fully set forth above, the combination of Vos et al. and the Alleged APA does not disclose, or even suggest, all of the features included in claim 32. Also, as more fully set forth above, Mikhail et al. and Osder also do not disclose, or even suggest, all of the features included in claim 32, and thus, fail to cure this critical deficiency.

Accordingly, it is respectfully submitted that the combination of Vos et al., the Alleged APA, Mikhail et al., and Osder does not disclose, or even suggest, all of the features included in claim 32, from which claims 34 to 36 ultimately depend. As such, it is respectfully submitted that the combination of Vos et al., the Alleged APA, Mikhail et al., and Osder does not render unpatentable claims 34 to 36, which ultimately depend from claim 32.

In view of all of the foregoing, reversal of this rejection is respectfully requested.

8. CLAIMS APPENDIX

A "Claims Appendix" is attached hereto and appears on the four (4) pages numbered "Claims Appendix 1" to "Claims Appendix 4."

9. EVIDENCE APPENDIX

No evidence has been submitted pursuant to 37 C.F.R. §§ 1.130, 1.131 or 1.132. No other evidence has been entered by the Examiner or relied upon by Appellant in the appeal. An "Evidence Appendix" is nevertheless attached hereto and appears on the one (1) page numbered "Evidence Appendix."

10. RELATED PROCEEDINGS APPENDIX

As indicated above in Section 2, "[t]here are no other prior or pending appeals, interferences or judicial proceedings known by the undersigned, or believed by the undersigned to be known to Appellant or the assignee, MTU AERO ENGINES GmbH, 'which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.'" As such, there are no "decisions rendered by a court or the Board in any proceeding identified pursuant to [37 C.F.R. § 41.37(c)(1)(ii)]" to be submitted. A "Related Proceedings Appendix" is nevertheless attached hereto and appears on the one (1) page numbered "Related Proceedings Appendix."

11. CONCLUSION

For at least the reasons indicated above, Appellant respectfully submits that the art of record does not disclose or suggest the subject matter as recited in the claims of the above-identified application. Accordingly, it is respectfully submitted that the subject matter as set forth in the claims of the present application is patentable.

In view of all of the foregoing, reversal of all of the rejections set forth in the Final Office Action is therefore respectfully requested.

Respectfully submitted,

Dated: July 28, 2010

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CLAIMS APPENDIX

21. A multivalue control system, comprising:

a controlled multivalue system including a plurality of correcting variables as input variables and a plurality of controlled variables as output variables;

a plurality of controllers;

a plurality of comparators configured to ascertain control deviations and to supply a control deviation to each controller as an input variable; and

a conversion device, input variables of the conversion device corresponding to output variables of the controllers, the conversion device configured to calculate, at least from the output variables of the controllers, the correcting variables, the conversion device configured to superimpose, on the output variables of the controllers, an input control component that is a function of an actual value to calculate the correcting variables.

22. The multivalue control system according to claim 21, wherein the conversion device is configured to calculate the correcting values by an offset of the output variables of the controllers against each other.

23. The multivalue control system according to claim 22, wherein the conversion device is configured to offset the output variables of the controllers as a function of the controlled multivalue system.

24. The multivalue control system according to claim 21, further comprising a first controlled variable conversion device, the controlled variables arranged to be supplied to the first controlled variable conversion device as input variables, the first controlled variable conversion device configured to ascertain output variables from the controlled variables and to supply the output variables to the comparators as first input variables.

25. The multivalue control system according to claim 24, further comprising a second controlled variable conversion device, setpoint values of the controlled variables configured to be supplied to the second controlled variable conversion device as input variables, the second controlled variable conversion device configured to ascertain output values from the setpoint values and to supply the output values to the comparators as second input variables.

26. The multivalue control system according to claim 25, wherein the comparators are configured to offset the first input variables against corresponding second input variables and to supply control deviations resulting from the offset to the controllers as input variables.

27. A method for controlling a controlled multivalue system, comprising:

supplying a plurality of correcting variables to the controlled multivalue system as input variables;

offsetting a plurality of controlled variables against one another as output variables of the controlled multivalue system to ascertain control deviations;

supplying each control deviation to a respective controller as an input variable;

supplying output variables from the controllers to a conversion device as input variables; and

calculating the correcting variables in the conversion device at least from the output variables from the controllers, the calculating including offsetting the output variables of the controllers against each other using an input control component that is a function of an actual value.

28. The method according to claim 27, further comprising ascertaining the correcting variables in accordance with the offsetting of the output variables of the controllers against each other.

29. The method according to claim 27, further comprising:

supplying the controlled variables of the controlled multivalue system to a first controlled variable conversion device as input variables;

ascertaining output variables by the first controlled variable conversion device from the controlled variables; and

supplying the output variables ascertained by the first controlled variable conversion device to comparators as first input variables.

30. The method according to claim 29, further comprising:

supplying setpoint values of the controlled variables to a second controlled variable conversion device as input variables;

ascertaining output variables by the second controlled variable conversion device from the setpoint values; and

supplying the output variables ascertained by the second controlled variable conversion device to the comparators as second input variables.

31. The method according to claim 30, further comprising:

offsetting the first input variables of the comparators and corresponding second input variables of the comparators against each other; and

supplying control deviations resulting from the offsetting of the first input variables of the comparators and the corresponding second input variables of the comparators to the controllers as input variables.

32. A method for controlling a propeller power unit, comprising:

controlling a propeller speed and a propeller performance as controlled variables;

supplying a propeller blade angle of incidence and a fuel stream to the propeller power unit as correcting variables;

supplying output variables from controllers to a conversion device as input variables;

ascertaining, by the conversion device, the propeller blade angle of incidence and the fuel stream as the controlled variables from the output variables from the controllers;

offsetting, in the conversion device, the output variables from the controllers against each other; and

offsetting, in the conversion device, the output variables from the controllers using an input control component that is a function of an actual value.

33. The method according to claim 32, further comprising:

supplying the propeller speed and the propeller performance as the correcting variables of the propeller power unit to a first controlled variable conversion device as input variables; and

outputting, by the first controlled variable conversion device, as output variables, actual values for the propeller speed and a turbine output.

34. The method according to claim 33, further comprising:

supplying setpoint values for the propeller speed and the propeller performance to a second controlled variable conversion device as input variables; and

outputting, by the second controlled variable conversion device, setpoint values for the propeller speed and the turbine output.

35. The method according to claim 34, further comprising:

ascertaining corresponding control deviations from the actual values and corresponding setpoint values for the propeller speed and the turbine output;

supplying the propeller speed control deviation to a speed controller; and

supplying the turbine output control deviation to a power controller.

36. The method according to claim 35, further comprising:

outputting a torque request as an output variable by the speed controller; and

outputting a turbine output request as an output variable by the power controller;

wherein the propeller blade angle of incidence and the fuel stream are ascertained in the propeller blade angle of incidence and the fuel stream ascertaining step in the conversion device from the torque request and the turbine output request.

EVIDENCE APPENDIX

No evidence has been submitted pursuant to 37 C.F.R. §§1.130, 1.131, or 1.132. No other evidence has been entered by the Examiner or relied upon by Appellant in the appeal.

RELATED PROCEEDINGS APPENDIX

As indicated above in Section 2 of this Appeal Brief, "[t]here are no other prior or pending appeals, interferences or judicial proceedings known by the undersigned, or believed by the undersigned to be known to Appellant or the assignee, MTU AERO ENGINES GmbH, 'which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.'" As such, there are no "decisions rendered by a court or the Board in any proceeding identified pursuant to [37 C.F.R. § 41.37(c)(1)(ii)]" to be submitted.